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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,205	07/03/2003	Mike H. Okamura	200300091-1	4594

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EXAMINER	
LEE, PETER	

ART UNIT	PAPER NUMBER
2852	

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/613,205	OKAMURA ET AL.	
	Examiner	Art Unit	
	Peter Lee	2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 December 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-29* is/are pending in the application.

4a) Of the above claim(s) *1-9, 21-23* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *10-17,20,24 and 25* is/are rejected.

7)☒ Claim(s) *18,19 and 26-29* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *7/3/2003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Election/Restrictions

1. Applicant's election without traverse of the claims 10-20 and 24-29 in the reply filed on 12/20/2004 is acknowledged.

DETAILED ACTION

Claim Objections

2. Claim 10 is objected to because of the following informalities:

Clam 10 as it is written uses improper antecedent basis. It is suggested to replace "the" found before the word "first" on page 15 line 15 with the word --a-- to solve the aforementioned objection.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 10-12, 13, and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Ito et al. (US pn 5402212).

Ito teaches a printer (fig. 1 part 1) (ie. image forming device), comprising: a dismounting apparatus (fig. 1; col. 4 lines 32-48) (ie. ejection apparatus) having a lock releasing lever (fig. 1 part 18; col. 4 lines 32-48; this lever is also analogous to an ejection button taught in another

embodiment of the invention in col. 10 lines 25-33. The lever/ejection button is also seen to be part of a control panel) (ie. button and control panel on first side), the lever being accessible to the top side (ie. first side) of the printer; and wherein the dismounting apparatus is capable of displacing a cartridge (fig. 1 part 7) (ie. replaceable component) outward from the cartridge insertion opening (fig. 1 part 1a; col. 4 lines 40-48) (ie. second side) of the printer when the operator manipulates the lever; and wherein the top side of the printer is distinct from the cartridge insertion opening of the printer.

The cartridge taught by Ito is also taught to include a developing device (col. 2 line 64) (ie. replaceable component comprises a toner cartridge).

Ito also teaches in Fig. 1 that the top side of the printer (ie. first side) is orthogonal to the cartridge insertion opening side (ie. second side).

Ito also teaches the method for mounting (col. 4 lines 7-32) (ie. ejecting) a replaceable cartridge (fig. 1 part 7) from a printer comprising: manipulating the lock releasing lever (ie. pushing a button) disposed along the top of the printer (ie. a first side of the image forming device); moving a cartridge mounting base (fig. 5 part 210) (ie. carriage supporting the replaceable component), outward from the cartridge insertion opening side of the printer in response to the lever; and wherein the top side of the printer is distinct from the cartridge insertion side of the printer.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 14-17, 20, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito et al in view of Kalyandurg et al. (US pn 5132732).

Ito teaches all of the limitations as laid out above concerning a printer with an ejection apparatus and method.

Ito does not teach the ejection apparatus of a printer having a moveable bar or a carriage that move along a separate axis.

Kalyandurg teaches a mounting system with a lever assembly (fig. 4 part 52) (ie. bar) movable along a z-axis as labeled in figure 4 (ie. first axis); a platform assembly (fig. 4 part 42) (ie. carriage) placed on top of the lever assembly (ie. in physical communication with the bar) for mounting a developing unit onto; wherein movement of the lever in the z-axis causes movement of the platform assembly in the labeled y-axis (fig. 4; col. 6 lines 50-56). Kalyandurg also teaches that the z-axis (ie. first axis) is horizontal (ie. wherein the first side is substantially perpendicular to the front side of the image forming device) and the y-axis is vertical (ie. second axis is substantially perpendicular to the second side of the image forming apparatus; where the second side is defined as the top of the printer from Ito above), the z-axis and y-axis are also known to be by nature 90 degrees to each other (ie. about 90 degrees).

Kaluandurg also teaches the lever assembly defining an edge oriented along an angular position between the z-axis (ie. first axis) and the y-axis (ie. second axis) (fig. 4 and 10; col. 7 lines 30-43); the platform assembly is in physical communication with the edge of the bar.

Kaluandurg also teaches the edge of the lever that is oriented along angular position between the z-axis and the y-axis is a first edge of a slot (fig. 5 part 87) (ie. first angled member) in physical communication with the lever assembly; the platform assembly is in physical communication with a second edge of a displacement slot (fig. 5 part 98A) (ie. second angled member), the second edge being oriented along angular position between the z-axis and the y-axis; and the first edge of the first angled member is in contact with of the second edge of the second angled member such that movement of the lever along the z-axis causes movement of the lever along the y-axis (col. 5 lines 50-57).

It would have been obvious to a person of ordinary skill in the art to modify the mounting/dismounting apparatus and method as taught by Ito to use the platform and lever apparatus assemblies for mounting/dismounting a process cartridge or developer unit as taught by Kaluandurg. By combining the two references, it would be possible for a user to manipulate the lever or eject button taught in Ito to engage with the mount/dismount apparatus taught by Kaluandurg so that the lever begins to move along the z-axis, and engaging the platform assembly by movement of the lever assembly, and the platform will move in a direction substantially orthogonal to a front side (ie. first side) of the printer. One of ordinary skill in the art would have been motivated to use the particular dismount/mount apparatus and method as taught by Kaluandurg to modify Ito because it provides a simple and easy mounting system that includes precise dual axis displacement of a development unit or process cartridge (Karuandurg col. 2 lines 1-8).

7. Claims 18-19 and 26-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kazuo (JP 08152774) is being cited for teaching a toner replacement cartridge slidable on a rail and which is capable of moving in two axis' during a sliding dismounting or mounting action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Lee whose telephone number is 571-272-2846. The examiner can normally be reached on mon-fri 9:00 am-5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on 571-272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PL 2/9/2005

Arthur T. Grimley
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